



Lochmere Architectural Standards & Specifications V5.0

July 25, 2017

Revision History

Version	Date	Revisions
v1	1987	Initial version from covenants
v2	August 2003	Misc Changes (untracked)
v3	??	Misc Changes (untracked)
v4.0	September 2010	Added standards for Rain Barrels, open to electronic working methods, clarify requirement language, remove ambiguities, clarified request form requirements
v4.1	January 2012	Updated formatting for use on website
v4.2	April 2012	Same as v4.1 with integration of Mandatory Items List and Request Form
v4.3	December 2014	Added additional mailbox style for Windsong, updated the mailbox post requirements to align with retail availability of posts and routed number styles
v5.0	July 25, 2017	• Added Revision History • Changed the use of “submission” as it pertained to a request to “request” for consistency. • Clarified the Basketball goal text in Annex C • Addition of outdoor firepit/fireplace criteria annex • Addition of property line boarder criteria annex • Misc clarifications • Increased swingset/playset width to accommodate sliding boards • Added screen porch criteria to deck standards • Added LASS Version to the Request Form

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I. PURPOSE AND POLICY

Article IV of the Declaration of Master Covenants for Lochmere establishes The Lochmere Architectural Standards and Specifications (hereafter referred to as the Standard or LASS). Their primary purpose is to preserve and maintain the property values and the natural beauty of the development. Article IV also establishes the Architecture Committee (Committee) with review and approval authority for the Subdivision.

A part of the charter of the Architecture Committee is to maintain and promote consistent standards while remaining open-minded to changes in our neighbors' and our lifestyles. This standard is intended to be a flexible document that allows for individual creativity of design, with each request being reviewed on its own merits. This document is not intended to be comprehensive; rather it is a guideline for residents considering modification to their lot or exterior of their home. The aesthetics of the modification will be a primary consideration of the Committee.

The Committee is composed of three members selected from Lochmere Home Owners Association (HOA) member volunteers. All members must be approved and appointed by the Lochmere HOA Board of Directors (see Architecture Committee). The committee normally conducts its business via meetings, electronic mail, internet based request management system and teleconference. The primary purpose of this communication is to review architectural requests received by the Committee and to approve or disapprove requests. Homeowner suggestions for process improvements are welcomed and will be promptly considered by the Committee and Lochmere HOA Board.

In all cases, the Architecture Committee has the final interpretation and is the final authority and judge of what is acceptable within the Lochmere community. This standard is subject to revision without notice. The Lochmere Architectural Standards and Specifications (LASS) may be changed as follows:

1. The Architecture Committee proposes changes to the LASS taking input from all sources. The input will be given appropriate consideration by the Architecture Committee.
2. The proposed changes are ratified or rejected by the Lochmere Association Board of Directors. If rejected, the Board shall provide cause and suggested remedy back to the Architecture Committee.

II. RESPONSIBILITIES

THESE ARE THE RESPONSIBILITIES OF ALL PARTIES AS THEY RELATE TO THE LOCHMERE ARCHITECTURAL STANDARDS AND SPECIFICATIONS.

A. Board of Directors

The Board of Directors is responsible for the final interpretation of the Master Covenants and Restrictions, and for making decisions about violations and related penalties or legal remedies.

B. Architecture Committee (AC)

The Architecture Committee is responsible for reviewing requests, making site inspections (both before, during and after the modifications), and approving or disapproving all architectural requests. The Architecture Committee is responsible for the final interpretation of the Lochmere Architectural Standards and Specifications and architectural aspects of the Residential Development Guidelines. The Architecture Committee is also responsible for updating and proposing changes to the Lochmere Architectural Standards and Specifications (this document), as it feels is needed, for approval by the Board of Directors.

C. Homeowners

Each homeowner has the responsibility to properly complete and submit an Architectural Request Form to the AC in accordance with the requirements of this document prior to making the proposed modifications to the property. Each homeowner is also responsible for adhering to these standards and specifications, and complying with the decisions made by the AC. Homeowners may also take the responsibility of reporting any problems or violations to the AC via the HOA management.

Note: Although it is common practice for contractors to create and provide requests on behalf of the homeowner, the responsibility for the request lies with the homeowner and AC point of contact for the request shall be the homeowner.

D. HOA Management

The AC and the HOA Board of Directors frequently relies on a management company to assist in administering the business of the HOA. At the time of this revision, the HOA management is administered by HRW or Associa. The HOA management will employ an architecture administrator to handle AC affairs. They can be reached at ArchitectureAdmin@HRW.net

III. OVERVIEW

It is the interpretation of the AC and the Lochmere Association Board of Directors that the provisions of Article IV apply to a wide variety of aesthetic considerations in the neighborhood. Every attempt has been made to include in this standard those considerations that have the potential to affect property values.

The following are examples of the types of changes, additions or deletions that would either (1) require submission of an Architectural Request Form, (2) not require a submission, or (3) are prohibited.

While every effort has been made to identify aspects of change requiring approval, the homeowner who has any doubt if his/her situation is adequately addressed should contact the HOA management for guidance. When in doubt, assume a request is required.

NOTE: It must be recognized that the request and approval process is administered by volunteers on their own time (nights and weekends) and is inherently lengthy. The Committee addresses all requests in as timely a manner as possible.

It is the responsibility of each homeowner to plan in advance and allow for the AC response time. The committee has 30 days from the date a request is received by HOA management to respond. Throughout this document the term “changes” shall include additions, alterations, improvements, removal or relocation. The term “submission” and “request” are used interchangeably.

In many documents several words are used to signify the requirements in the specification. The keywords "MUST", "MUST NOT", "REQUIRED", "SHALL", "SHALL NOT", "SHOULD", "SHOULD NOT", "RECOMMENDED", "MAY", and "OPTIONAL" in this document are to be interpreted as described below.

Note that the force of these words is modified by the requirement level of the section in which they are used. e.g., a MUST in a section describing an option shall mean the requirement is mandatory IF the option is chosen or implemented.

Note that examples denoted by “e.g.,” or “ex.” Are provided for illustration purposes and do not constitute requirements.

1. **MUST** This word, or the terms "REQUIRED" or "SHALL", mean that the definition is an absolute requirement of this specification.
2. **MUST NOT** This phrase, or the phrase "SHALL NOT", mean that the definition is an absolute prohibition of this specification.
3. **SHOULD** This word, or the adjective "RECOMMENDED", mean that there may exist valid reasons in particular circumstances to ignore a particular requirement, but the full implications must be understood and carefully weighed before choosing a different course.
4. **SHOULD NOT** This phrase, or the phrase "NOT RECOMMENDED" mean that there may exist valid reasons in particular circumstances when the particular issue is acceptable or even useful, but the full implications should be understood and the case carefully weighed before implementing any item described with this label.
5. **MAY** This word, or the adjective "OPTIONAL", mean that an item is truly optional. One homeowner may choose to include the item while another homeowner may omit the same item.

A. Types of Changes Which Require a Request

1. Changes to the Exterior of the home, such as but not limited to:
 - a. Awnings
 - b. Decks, deck skirting or screening, patios, and porches
 - c. Driveway extensions and parking pads
 - d. Enclosures
 - e. Fences
 - f. Hedges and screen plantings
 - g. Extensive Landscaping
 - h. Poles, free-standing (e.g. basketball goals)
 - i. Recreation or sports equipment
 - j. Semi-permanent play facilities (see Annex B)
 - k. Structures including tree houses and/or play houses, play sets
 - l. Swimming pools and hot tubs
 - m. Tree removal (live) or tree additions
 - n. Rooms
 - o. Garages
2. Changes to appearance, such as but not limited to:
 - a. Color including siding, trim and/or doors
 - b. Materials (such as siding and roof)

B. Specific Changes Which Do Not Require a Request:

Such as but not limited to:

1. Flower boxes which are painted to match exterior color approved for home
2. Minor landscaping (see Section IV)
3. Periodic repainting and restaining with the existing color for maintenance
4. Removal of dead trees

C. Specific changes which are prohibited by the covenants:

1. Commercial advertising sign(s)
2. Vehicles regularly parked on the street or parked on a soft surface (e.g., lawn)
3. Permanent clotheslines or those installed on the exterior of the home or property
4. Above-ground pools
5. Any items not specifically described as being allowed in compliance with neighborhood covenants

IV. STANDARDS AND SPECIFICATIONS

The specifications and details listed below apply to both items requiring a request and not requiring a request and are those that have been identified by the AC as requiring specification. For items below which do not require a request, the homeowner shall meet the minimum detail described.

Note that section VII. ANNEXES TO THE STANDARDS AND SPECIFICATIONS below forms an integral and normative part of this section.

A. Animals

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that: household pets may be kept, provided that they are not bred or maintained for any commercial purpose.

B. Clotheslines

Permanent exterior clotheslines are prohibited.

C. Parking/Storage

1. Industrial or commercial type trucks, tractors, buses, inoperable automobiles, boats, campers, or recreational vehicles shall not be regularly parked outside on the lot unless they are properly screened and approved by the AC.
2. On street parking on a regular basis is prohibited.
3. No parking on a soft surface, e.g., lawn.
4. Trade materials, inventories, boats, trailers or campers shall not be stored on residential lots without proper screening approved by the Architecture Committee.
5. Temporary storage of materials for modification projects shall be discreetly placed and maintained in an orderly manner and condition.
6. Trash/garbage cans shall be screened from the neighbor's view and view from the street. E.g., Garbage cans may be stored inside the garage, or behind live or fixed screening.

D. Trees

1. The removal of a live tree shall require approval unless the tree is less than ten inches (10") in diameter measured at a height of 2 ft (2') above the ground.
2. Removal of dead trees does not require a request, regardless of size. It is the homeowner's responsibility to ensure that the tree is dead.

E. Landscaping

Landscaping, such as naturalizing an area of yard and/or adding shrubs, trees, flowers, etc., shall require approval for alterations costing in excess of \$1000.00 (combined labor and materials). Other types of landscaping which represent more significant projects that may be structural, have an impact on adjacent property, or require strong aesthetic consideration, and shall require a request are:

1. Retaining walls.
2. Drainage, swale, and runoff modifications: Careful consideration is given to landscaping that will regulate current drainage/runoff to adjoining property. Details shall be contained in requests. Should future problems develop, correction shall be the responsibility of the homeowner who made the modifications even if Committee approval has been granted.

F. Hedges and Screen Plantings

1. No side lot line hedge or screen planting shall be installed without approval.

2. Hedge or screen plantings which form a barrier between properties shall have:
 - a. Agreement for maintenance access.
 - b. Setbacks to allow for plant growth, i.e., hedge to remain on installer's property when fully grown.

G. Materials and Colors (Houses, garages, other structures)

1. Periodic repainting and restaining with the existing color for maintenance does not require a request.
2. Roof replacement with the same color and style roofing(i.e., replace with same as existing color and materials) does not require approval.
3. Exterior materials compatible with the architectural character of the Lochmere neighborhood, shall be used.
4. Brick and/or stone shall remain unpainted, unless painted as part of the original, approved construction.
5. Exterior Color changes (Siding, trim, doors, roofs)
 - a. Keep all colors low in intensity (saturation or chroma).
 - b. Color changes from existing require AC approval.
 - c. Colors must blend with the colors of the homes in the immediate vicinity.
 - d. Actual color samples must be included with a request for a color change.

H. Out Buildings

No trailer, tent, shack, barn or other outbuilding shall be erected or placed on any home site.

I. Mailboxes

The Lochmere Residential Development Standards require all properties within Lochmere use the mailbox design set forth in that document. When a box and/or post must be replaced, the specifications defined in the Residential Development Standards must be used¹. The mailboxes used in Lochmere are the standard black type approximately 11" H x 8¼" W x 21" D.



Figure 1 Lochmere Mailbox

¹ A copy of the Lochmere Residential Development Standards may be obtained from the HOA management.

These can usually be purchased at any hardware or home supply store carrying that style of mailbox.

Lochmere styled mailbox posts are a custom design and normally have to be special ordered. They are available through Posts and Pickets (215 Tryon Rd. Raleigh, NC 27603 phone: (919) 772-7170). The approved stain color is Olympic Brand, "California Rustic." The numbers shall be routed 3" tall by 3/4" wide and painted white. Posts and Pickets have the Lochmere design details on file.

The Birkhaven Section of Lochmere uses Olympic Brand "Beechwood." The numbers shall be routed 3" tall by 3/4" wide and painted black.

The Windsong Section of Lochmere uses Double Better Box Mailbox. The approved color is Verde.



They are available through Better Box Mailboxes, 904 Fairview Rd., Simpsonville, SC 29680. Phone: 864-386-9845.

The Lochpointe Section of Lochmere uses Olympic Brand "Cape Cod Gray." The numbers shall be routed 3" tall by 3/4" wide and painted black.

For US Postal Service specifications on installing the post, please see <https://www.usps.com> and search on "Mailbox Guidelines".

J. Driveway Extensions and Pads

When necessity has been demonstrated, extensions and pads may be approved. At least three feet shall be maintained between any driveway or parking addition and adjoining neighbor's property. Consideration must be given to the need for screening and existing drainage and water run-off must not be compromised.

V. PROCESS

Property modifications that have been previously identified as requiring a request, or that the homeowners believe may require a request, shall follow the process described in this section. The process shall be the same for all requests with the required details varying depending upon the type of change.

A. Planning and Preparation of a Request

No construction shall begin without Committee written approval of the request. Therefore, it is strongly recommended no commitment for labor and/or materials be given to contractors prior to receipt of written approval of the request from the Committee. Allow enough time for processing and approval in planning for construction or landscaping. In general, the review and approval cycle is 30 days. If your lot is located in a Sub Association, the Sub Association must first approve the request prior to submission to the Lochmere Architecture Committee.

1. Using this standard, determine if a request is required. If yes, continue.
2. Prepare the **Architectural Request Form** and attach any drawings, sketches and supplemental documents relevant for the Architectural Committee review.
 - a. A complete request **fully** describes/depicts the change and stands on its own without need for further explanation or clarification.
 - b. The Architecture Committee is assessing exterior aesthetics. Do not over-specify a request with irrelevant details (e.g., interior design schemes)
3. Sign the form and provide a current e-mail address. Official notifications shall be sent to this e-mail address. If the applicant does not have an e-mail address or prefers not to receive notification via e-mail, this shall be noted on the form.
4. Present the completed request to all adjoining property owners and neighbors who may be visually impacted by the change, and obtain their signatures.

Note: This signature only reflects that each neighbor has seen the complete request. A neighbor's signature is NOT an indication of approval or disapproval of the request.
5. After completing step 1-4 (above), present the request to the HOA management, Inc. at the address on the top of the Architectural Request Form. Alternatively you may email an electronic or scanned version of the request in one Adobe Acrobat (.pdf) computer file not to exceed 5 megabytes (MB) in file size to the the HOA management architecture administrator. See the email address above.

Incomplete or illegible requests will be placed on hold and the applicant will be asked to provide additional information. If at any point during the process the Architecture Committee requires additional information, the request will be placed on hold and the applicant will be asked to provide the additional information. The review process will not start again until all the required information has been provided from which time the committee will have 30 days to deliver a decision. Additional information must be submitted to the Committee within 30 days from the request letter or the request will automatically be disapproved.

B. Architecture Committee Review

1. The Committee shall review requests as soon as possible in a timely manner. Also, any responses or input by visually impacted property owners will be reviewed and taken into consideration.
2. The request will be voted on by the Architecture Committee, who will reach a simple majority decision for approval, approval with information, approval with conditions (including criteria to be met in addition to the original request) or disapproval.
3. The Committee shall convey the Committee's decision to the HOA management, and the HOA management will notify the owner and provide necessary details after receiving the Committee's decision.
4. Each request shall be considered independently and on its own merits and situation. Approval of any previous or similar request or any portion thereof has no bearing on any other request.
5. A proper request approved by the Committee is equivalent to a contract to which the homeowner must comply including the specific details. Significant alterations or deviations from the request reviewed and approved by the Architecture Committee must be resubmitted and approved before the work is started.

C. Appeals & Resubmissions

To appeal a disapproved or denied request, the homeowner shall submit a written response to the disapproval letter including specific detailed information that clarifies why the request should be reconsidered. The homeowner may also request a meeting with the Committee to further discuss reconsideration of the request and committee decision.

Appeals are submitted to the Committee via the HOA management. If the appeal is received by the HOA management within 14 days from the date of the disapproval letter, the committee shall have 30 days to render a decision. The decision rendered is final.

After 14 days from the date of the disapproval letter, the applicant will need to submit a new request, including the additional material and information to justify a change of decision from the Committee.

D. Time Frame for Construction

1. Construction shall begin at the start date indicated in the request or within three months after the date of the written approval by the Committee. Work must be completed within a maximum of one year after the start of the work. If a project is expected to take longer than one year it must be stated in the request.
2. Approval for projects that are not begun or completed as specified above will lapse. The homeowner must re-submit the proposal and a written request for extension to the Committee.

E. Details for Submission

In some cases many attributes or details of a proposed modification are required to be included in the request for the Committee to make sound, responsible decisions. In other cases the nature of the modification will be simple and straightforward, as will be the request. The following items may be used as a method of describing or visually depicting the requested change (as applicable to the project or change).

1. Plot plans – For any change to the footprint of the home or placement of a change on the property, a top down drawing showing location of existing structure(s), property boundaries in relation to adjoining property(s), and location of proposed change(s) with dimensions to property boundaries shall be provided in the request. If a formal survey copy is unavailable a plot diagram from the internet or other resource may be substituted provided it shows the location and dimensions of the change relative to the property boundaries. The Lochmere Community is an aesthetically pleasing environment. However, the proximity of our homes dictates that we be especially mindful not to intrude on our neighbors' vistas.
2. Roof pitch - The minimum required roof pitch is 6:12. The committee will consider a variance on a roof pitch lower than 6:12 provided it is explicitly solicited in the request and rationale is provided. (e.g., "A roof pitch of 3:12 is needed to keep the roof under 2nd story windows.").
3. Pictures, magazine cutouts, etc. illustrating elements of the proposal
4. Color chips illustrating colors of finishes such as paint, stain, sealers, etc
5. Elevation drawings - views that will show height, topography of land, and visual image of the change.
6. Written description of the types of materials to be used (e.g., the relevant portion of the contractor's bill of materials).
7. Written and/or visual depiction of construction details.
8. Location for building material storage during construction, soil disposal plan, drainage plan, and landscaping or re-vegetation plan (as applicable).
9. Identification of the party responsible for performing the improvement (homeowner, contractor name, etc.).
10. Estimated completion date and duration.
11. Estimated start date.
12. Drawings need to be to scale to show a relationship to location, height, etc., with the dimensions and scale used clearly marked on all drawings. For major construction projects such as additions, sunrooms, dormers, etc., for which a hired contractor is used, the design drawing should suffice, showing rooflines and other such detail.
13. Provide the location of each tree to be removed on a plot plan and show the diameter of each tree as measured at 2' above the ground.
14. Any other aids that will assist the Committee in their review.

F. Inspection

The Architecture Committee will, from time to time, do random on-site inspections to assure compliance with approved requests. Homeowners are asked to cooperate during such inspections. If deficiencies or significant deviations are noted, the Committee will notify the homeowner in writing. The homeowner shall respond to the notice with intended remedies within 10 days of written notice or request approval shall be withdrawn and resubmission shall be required.

G. Violations

The Board of Directors shall handle violations as described in Section VI.

H. Permits

If a Town of Cary permit is required, it is the responsibility of the homeowner to obtain the permit.

VI. VIOLATIONS AND LOCHMERE ASSOCIATION REMEDIES

There are essentially two types of violations that must be dealt with by the Lochmere Association:

- Implementing a change, addition, or deletion without approval of a properly completed request, and
- Deviation or noncompliance with an approved request.

A. Remedial Process

The Architecture Committee generally expects to amicably resolve violations and disputes regarding interpretation of these standards through straightforward discussions with the homeowners.

After reasonable attempts to resolve a violation have been exhausted, including the opportunity for a meeting with the Architecture Committee, the Architecture Committee will select the appropriate remedy and make a recommendation to the HOA Board for remedial action. HOA management shall notify the Property Owner of such recommendation

B. Homeowner Association Remedies

1. The Lochmere Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Lochmere Association to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.
2. Remedies include but are not limited to:
 - a. Obtaining a Restraining Order to prevent an action.
 - b. Obtaining a Court Order to require the homeowner to remove a project.
 - c. Imposing a daily fine for each day the violation remains, as authorized by the Planned Community Act, which became law on January 1, 1999..

The Lochmere Board of Directors is hopeful that homeowners will act as good neighbors and therefore minimize the time and expense associated with unpleasant legal remedies.

VII. ANNEXES TO THE STANDARDS AND SPECIFICATIONS

This section is an integral and normative part of section [IV. STANDARDS AND SPECIFICATIONS](#).

Annex A Fences

It is the intention of these guidelines to allow fencing so that the homeowner has the option of creating an enclosed or semi-enclosed backyard for privacy, security, or protection of small children, using a fence that is both long lasting and provides aesthetic continuity.

The Architecture Committee shall review all proposed fence locations and details. Each case shall be reviewed on an individual basis. Quality materials and construction methods shall be employed. Following architectural guidelines for fencing will assist the Committee and protect the total development.

A. Standards and Styles

1. All fence installations must be approved in writing **prior** to installation. This emphasis is required because in situations where the homeowner has either had to remove, change or move the fence it has been at significant homeowner expense.
2. Every fence will be considered on its own merits.
3. The preferred fencing is one that consists of live plantings, particularly in situations where the purpose is to screen something from view; however, if a material is used, wood is the preferred material for fences. Materials such as wrought iron, vinyl and aluminum may be considered on a case-by-case basis.
4. Regardless of type, all fences shall be no more than (5) five feet high, and all must have the good side facing out.
5. Any non-living fence plan must include a plan for landscaping or live screening to obscure the fence from street view. Additional screening may be provided to obscure view from neighbors.
6. If a non-living fence is to be treated with preservative or other finish, a color sample of the finish must be provided. The Committee shall evaluate finish treatment at its discretion. In general, natural colored stains and preservatives are preferred over opaque colored paint.
7. In those cases where complete containment is required, several material fence styles may be used in Lochmere, dependent upon the purpose, and the particulars of the property.
 - a. For all styles below the following apply:
 - i. All fences shall have exposed posts with rails abutting the posts. The lattice, boards or pickets shall not cover the posts.
 - ii. All posts shall have a French gothic decorative finial. Other style decorative finials may be considered and approved at the Committee's discretion.
 - iii. There shall be spacing between the boards.
 - b. Picket Fence – A picket style fence shall have pickets two to four inches wide and spacing equal to the picket width. The picket fence should have a decorative top (either scalloped, or rainbow, flat is allowed but not preferred.)

- c. Board or Stockade Fence - A board or stockade style fence shall be comprised of 5/4" board with approximately 1" spacing between the boards. The fence shall have a decorative top (either scalloped or rainbow, but not flat)
- d. Lattice Fence - A lattice fence shall be installed with the (8) eight-foot dimension horizontal, and with the lattice framed and capped.
- e. Decorative aluminum or iron (e.g., black)
- f. Other Fence Styles – Other decorative fence styles shall be considered and approved at the Committee's discretion. Please provide all relevant details in the request.
- g. Chain link fences are prohibited

B. Fence Location

The Architecture Committee must approve fence location and position.

1. Placement: A top down plot plan, diagram or copy of the surveyor's plat, shall be provided to indicate the exact location of the fence in relation to the house and property lines. The following dimensions shall be included:
 - a. length of each fence section
 - b. distance of each fence section to its adjacent property lines
2. Fencing Setbacks. Setbacks for visual aesthetics and screening shall be required where applicable. Specifically:
 - a. No fencing shall be allowed within 50 feet of any lake or pond,
 - b. No fencing shall be allowed within 50 feet of the golf course,
 - c. No fencing shall be allowed within 25 feet of any street, right-of-way or active greenway.
 - d. For all other placement, fencing shall be either:
 - i. at a property line or
 - ii. set back 5 or more feet (e.g., when allowing for live screening to obscure non-living fence view from neighbors, for landscaping or live fence growth).
3. No fence shall extend beyond the front line of the dwelling. In general, fences should extend from the rear property line forward no more than half way between the front and rear building line of the home.
4. Natural or landscaped drainage must not be disturbed during the installation of the fence.

Property owners are cautioned that building a fence that infringes on easements or access right-of-ways (e.g., utility easements) may result in removal or destruction of the fence. Such building is done entirely at the risk and expense of the property owner.

Consideration should be given to access and ease of maintenance when selecting location.

Annex B Play Equipment

Recognizing that Lochmere is a community largely populated by families having young children; the Architecture Committee has adopted the standards below governing exterior, semi-permanent play

facilities. It is the purpose of these guidelines to encourage youthful play while minimizing the visual impact of bright colors against the natural foliage.

“Play Equipment” is defined as being any semi-permanent facility or structure designed for recreation. Examples include but are not limited to swing sets, forts, tents, sand boxes, trampolines and tree houses.

1. Construction materials should be natural wood or earth tone, with neutral canvas covers where applicable. The installation of brightly colored metal or plastic play facilities is discouraged.
2. Children’s playhouses may be considered provided that their exterior size is less than or equal to 8’ wide by 8’ deep by 8’ high (roof peak). The design of the playhouse should be that of a miniature house, with consistency as to neighborhood style, color and trim.
3. Swing sets should only be of a type that is commercially available and no larger than 24’x15’ (length, width).
4. All play equipment should be constructed behind the building envelope or in a location screened from the street.

Annex C Basketball Goals & Recreational Equipment

Recognizing that the scenic views across front yards and along Lochmere’s roads are for the enjoyment of all and well worth protecting, any permanent installation of a basketball goal will require Committee approval.

Requests for basketball goals should include construction and installation details.

The following guidelines govern the installation of basketball goals and other permanently affixed recreational equipment.

1. All of the following criteria must be met:
 - a. Basketball goals shall be one pole mounted at the edge of the driveway
 - b. behind the house footprint (if the driveway is in the rear of the home) or to the side of the house footprint.
2. No recreational equipment of any type shall be permanently affixed to the exterior of any residence, including the garage.
3. No basketball goals, permanent or portable, are permitted in the street. No recreational equipment shall be left in the street while not in use.
4. Basketball goals, approved for installation, shall have a white, black or clear backboard and black or white pole.

Note: Basketball goals installed on or adjacent to patios in the backyard are prohibited.

To better preserve sight lines with minimal clutter, consideration should be given to installing sleeve-mounted or portable weighted base basketball goals, which should be removed from sight when not in use.

To be considerate of your neighbors, it is requested that play be limited to the hours of 10:00 a.m. - dusk (not later than 8 p.m.) weekdays and 10:00 a.m. - dusk (not later than 9 p.m.) weekends.

Annex D Decks, Screened Porches, Arbors and Patios

The Board encourages creative designs and patterns for decks, screened porches, arbors and patios, particularly in replacement of existing builder-supplied components. However, plans for such improvements shall be submitted to the Architecture Committee for approval.

1. There are no pre-determined styles in this document for decks, arbors, screened porches or patios. Each deck, screened porch, arbor or patio shall be considered by the Committee on its own merits.
2. Deck and Screened Porch Materials
 - a. Deck materials shall be constructed with composite, pressure treated or other weather and water resistant wood (e.g., cedar, redwood, teak, etc.).
 - b. Posts shall be made of brick, pressure treated wood or other suitable material.
 - c. The deck or porch should have a wood or vinyl lattice screening of the under area.
 - d. Other materials may be considered by the Committee at its discretion.
 - e. Roof and siding material and colors should match the existing house.
3. Patio Materials
 - a. Concrete slabs – slabs may be finished with smooth finish, exposed aggregate or broomed finish. Stamped concrete textures simulating other textures (e.g., stone, slate, tile, etc.) may also be used. Photos of texture shall be provided in the request if applicable. Color samples of concrete stain and or sealer shall be provided if applicable.
 - b. Bricks or pavers with sand fill, aggregate fill or grout.
 - c. Stone with sand fill, aggregate fill or grout.
 - d. A landscape plan to facilitate privacy may be included in a request for a patio.
4. Arbor Materials
 - a. Arbors must be constructed of materials consistent with the home's exterior, the deck or both.
5. Height of decks, arbors and screens
 - a. Decks should be of a reasonable height for their intended purpose.
 - b. Arbors should be no higher than eight feet above the deck surface.
 - c. Freestanding deck screens (e.g., lattice) shall not exceed six feet in height.
 - d. Screens as part of an arbor may extend to the arbor.
6. Location
 - a. Patios normally should be located behind the house, but may extend beyond, around corners, or be freestanding.
 - b. Obstruction of adjoining properties views will be given consideration in all cases.

Annex E Maintenance

It is the primary responsibility of homeowners to maintain their property in a way that does not detract from the overall beauty of the neighborhood. It is expected that each and every homeowner will take this responsibility seriously, as this can severely affect the value of all properties.

With the intent of neighborly consideration, the following is a list of areas that should be reviewed on a regular basis to insure that your home is in good repair:

1. Shrubbery, Trees, and Lawns
2. Driveways and Sidewalks
3. Decks
4. Fences
5. Playground Equipment
6. Roofing
7. Paint and Stain
8. Garbage Can Storage
9. Mailbox Posts and/or Mailboxes

Annex F Pools

All pool requests must include location of equipment, size of pool, size of deck, and setbacks. The pool request shall include details of any safety fencing.

1. Pools must meet minimum setback requirements of both the Town of Cary and Lochmere.
2. Runoff from pool drainage must be considered in overall landscape plan.
3. Above-ground pools are prohibited.

Annex G Signs

No signs are permitted in the Lochmere common areas other than Association signs, i.e., neighborhood name signs.

No restriction on the use of land shall be construed to regulate or prohibit the indoor or outdoor display of political signs by an association member on property owned exclusively by the member.

The following non-political signs, not exceeding 3 ½' x 2 ½', are permitted on a lot:

1. One rental or one sale sign including name rider and sold rider on the main body of the sign.
2. One Yard Sale sign
3. One contractor sign during the duration of the work

Illegal signs will be removed and a fine may be levied against the responsible lot owner.

Annex H Rain Barrels

The Town of Cary requires water conservation of its residents throughout the year. In times of drought, due to weather and over building, watering of lawns and ornamental plants is restricted such that these plantings are in jeopardy of dying, causing adverse impact to the aesthetic appearance of our community and cost to our homeowners. The use of rain barrels to collect and store water using a home's gutter system is a means of water conservation.

In order to preserve the aesthetic appearance and harmony of our community, while allowing our homeowners access to one of the most effective methods of water conservation, the following guidelines apply to rain barrels.

No specific architecture request is required for rain barrels so long as the guidelines below are followed.

Specifications:

- Screening - by their nature rain barrels must be placed adjacent to gutter downspouts. The barrels shall be reasonably screened from view of the street and of neighbors.
- Color - Barrels shall be of a neutral color, e.g., brown, black, green, terra cotta.
- Other - A mosquito proof cover must be in place at all times when the barrel is not otherwise in use.

Annex I Property Borders Markers

A homeowner may wish to demark their property lines to stop encroachment. e.g., parking on the front lawn adjacent to the street, or along the greenway to keep pedestrians off of private property. The following criteria shall apply:

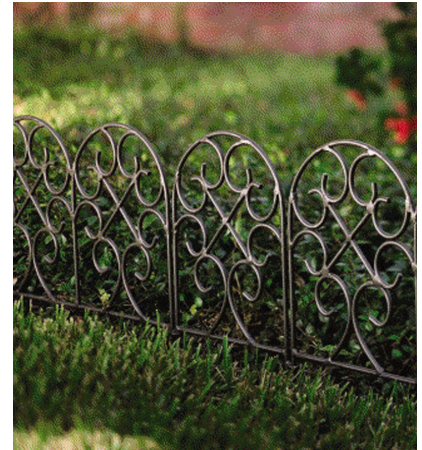
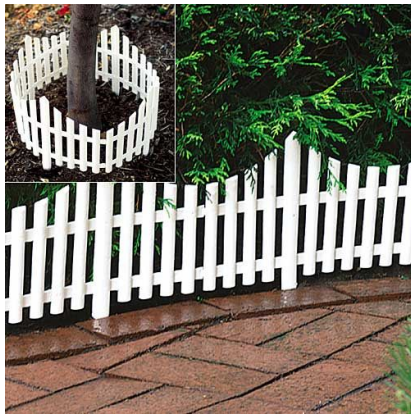
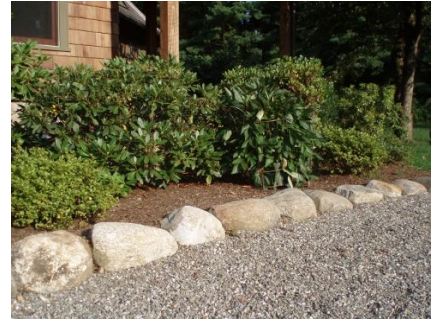
1. Post and Chain - 4"x4" pressure treated posts with french gothic tops may be placed 18" max from the ground, no less than 6' apart along the property line. Optionally, white, black, or natural colored weatherproof chain (e.g., galvanized, vinyl, etc.) may be draped between the posts no less than 9" off the ground.
2. Natural rock - Natural rock or stones may be placed along the property line. The rock or stones shall not exceed 24" in diameter.
3. Stacked post - 4" round or semi-round pressure treated timber or block stacked together to form a border.
4. Wrought iron, bronze looking boarder not to exceed 24" in height. Miniature picket fence with rainbow or scallop top and exposed pointed "posts" not to exceed 24" in height.
5. Other Border Styles – Other decorative border styles shall be considered and approved at the Committee's discretion. Please provide all relevant details in the request. (e.g., color, dimensions, photos, etc.)

These border markers are not subject to property line setbacks in the rest of this document and are to be placed on the property line with enough setback to allow maintenance.

Property owners are cautioned that placing materials that infringe on easements or access right-of-ways (e.g., utility easements) may result in removal or destruction of the material. Such work is done entirely at the risk and expense of the property owner.

Property owners are also cautioned that placing material adjacent to the street that could cause damage to cars or pedestrians is done so at the risk and expense of the property owner.

Examples of Property Border Styles



Annex J Outdoor Fireplaces & Fire Pits

Permanent, outdoor fireplaces and fire pits are deemed to be structures and require review and approval by the Architectural Committee.

1. Construction design, materials, scale, and placement of outdoor fireplaces and fire pits must complement the existing house and lot. Outdoor fireplaces and fire pits are to be incorporated as a design feature of a patio or landscaping plan.
 - a. The firebox of a fireplace or fire pit burn area must not exceed 30 sqft
 - b. To minimize smoke and visual impact to surrounding neighbors, the location of a permanent fire pit shall be no less than 20' from all adjacent property lines and not within line of sight of neighbors outdoor living areas (e.g., deck, patio, front door, etc) Care should be exercised during use to avoid a smoke nuisance to neighbors.
 - c. Permanent fireplaces and fire pits shall be located behind the building envelope, in the rear yard. All fireplaces and firepits must be reasonably screened from view of neighbors and the street. Permanent front yard fireplaces or fire pits are prohibited.
 - d. Recreational fires are permitted only in a structured fire pit that has a spark arresting device (e.g., screen), or in a non-sparking fueled outdoor fireplace.
 - e. Permanent fire pits and fireplaces must be faced in brick, flagstone, slate or decorative pavers. Use of wood structure to construct a fire pit or fireplace is not permitted.
 - f. A hardscape of no less than 3' in front of and surrounding the firebox is required to minimize fire hazard of the outdoor substrate.
2. Submission Requirements: (In addition to requirements in section V.E. Details for Submission.
 - a. A copy of the existing official record plat or plot plan showing the house, property lines, easements, significant vegetation (e.g., trees, shrubs, landscape plantings), existing patios and decks, fencing, accessory structures (e.g., playsets, gazebo, pergola, etc.), and the location of the proposed fireplace or fire pit.
 - b. Photographs showing the proposed location of the fireplace or fire pit.
 - c. An elevation drawing with dimensions of the proposed fireplace or fire pit.
 - d. A landscape plan, as applicable.
 - e. Materials list of all proposed materials.

Note: State law requires that a permit be obtained if the fireplace is less than 10' from any building or roofed structure or greater than 12' in plan dimension (length or width).

All fireplace or fire pit elements must be maintained in keeping with Maintenance Standards and kept in good order, condition and repair. Portable fireplaces and fire pits must be stored in the rear yard, or out of view of the street when not in use.

If changes to previously approved or installed elements are desired, a new application is required and must be submitted for review prior to making any changes.

APPENDIX 1 LOCHMERE ARCHITECTURAL REQUEST FORM

A. INSTRUCTIONS AND MANDATORY INFORMATION FOR LOCHMERE ARCHITECTURAL REQUESTS

The Lochmere AC strongly encourages all homeowners submitting an architectural request to thoroughly review and consider the Lochmere Architectural Standards and Specifications (LASS) before submitting a request.

The LASS can be found [HERE](#).

(http://www.lochmere.org/images/Committees/Architecture/Lochmere_Architectural_Standards_and_Specifications.pdf)

Approval of your request depends on its compliance to these standards.

Where applicable, **feel free to quote or refer to the standard sections in your request to clearly indicate compliance.**²

Many attributes or details of a proposed change, addition or deletion are required for the Lochmere Architectural Committee (AC) to make sound, responsible decisions. This section highlights several of these details in an effort to reduce the number of requests returned to the homeowners as incomplete.

The items below are derived from the Lochmere Architectural Standards and Specifications (LASS), [Section V Process](#).

If the information below is not included in the request, the request is likely to be declined.

Please review [LASS Section V Process](#).

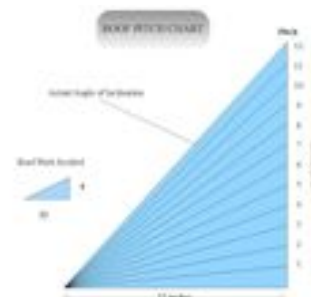
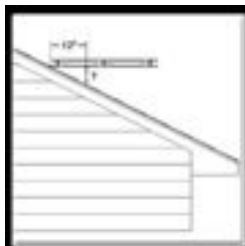
Please note, the AC is interested in reviewing the request to determine its visual impact and impact on the surroundings as well as adherence to the Lochmere Architectural Standards. Please keep all information submitted relevant to these goals and avoid submitting superfluous information. (e.g., interior design and color schemes are not relevant).

1. [Completed Lochmere Request Form](#) (the form below) Please be sure to include an email address where you can be contacted.
2. [Signatures](#) of all property owners having adjoining lot lines with your property, and all neighbors who will be able to view the requested change from their property. If a neighbor refuses to sign or it is not possible to obtain a neighbor's signature, provide the neighbor's

² Note: Where there are discrepancies between this guidance and the main Lochmere Architectural Standards and Specifications, the latter shall take precedence.

address and reason their signature is missing on the request form. Note that *a neighbor's signature does **not** indicate their approval or disapproval of the request.* Their signature merely indicates they were informed of the request and your plans.

3. Plot Plan (lot survey; can usually be found in closing documents)- See LASS section V.E.1. Top down view showing where the change will be made on your property. The requested change should be drawn on a copy of your plot plan or property survey. If a survey is not available go to <http://www.wakegov.com/gis/imaps/Pages/default.aspx> for a plot diagram with the house. **Distances and position of the change must be shown to all property lines and existing home at the closest point of the change.** These dimensions will be used to determine compliance to the architectural standards. Please adhere to the setbacks in the architectural standards. In particular note the *mandatory 25' fence setback* from all active greenways and streets and the 50' lake setback.
4. Written description of the requested change. - See LASS section V.E.4, .6, .7. Be specific, emphasize external view and placement on the property, and provide details showing compliance to the architectural standards. List materials to be used and finish – e.g pine fence with stain (attach sample of stain) using pressure-treated 1x4 boards, height of fence slats, positioning of fence posts, shape of top of fence slats, distance of fence from property boundary etc.
5. Drawings and Elevation Drawings (or photos, magazine cut-outs or company brochure)- if applicable (i.e., for structural changes and improvements) - See LASS section V.E.3 and .5, You need to convey a visual image of the completed proposed change. Drawings should be to scale in order to show a relationship to location, height, etc., with the dimensions and scale used clearly marked on all drawings. Where the drawings are not to scale, please provide height, width and depth dimensions. For major construction projects such as additions, sunrooms, dormers, etc., for which a hired contractor is used, the scale design drawing should be submitted, showing roof pitch and other such details. Please refrain from including information not relevant to the exterior view of the project.
6. Roof Pitch – See LASS section V.E.2. You **MUST explicitly** note the pitch of all rooflines being added in the request. The LASS required roof pitch is at least 6:12. (Expressed as #” rise over 12” run. See Figure 2) The committee will consider a variance on a roof pitch lower than 6:12, if it is **explicitly requested** in the request **and justification is provided** on why the variance is necessary. (e.g., “A 3:12 roof pitch is needed to keep the screened porch roof below second story windows.”)



Figures 2, 3 & 4 - Roof Pitch

7. For larger projects: - See LASS section V.E.8. Explicitly note the location for building material storage during construction, soil disposal plan, drainage plan, erosion control and landscaping or revegetation plan (as applicable)
8. For tree removal: - See LASS section IV.D. You **MUST** provide the **diameter** measured at 2' above the ground of each tree proposed for removal and show the location of each tree proposed for removal on a plot plan of your property. (Diameter (d) = Circumference (C) ÷ 3.14159 (π). Circumference is the measurement around the tree. See Figure 3.) Please include any plans for replacement plantings or landscaping.

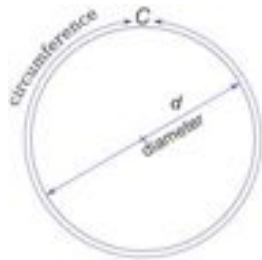


Figure 3 - Tree Diameter vs. Circumference

Please keep in mind **the architecture committee has 30 days to make their final decision**; please **plan accordingly** so that approval is received **before work begins**.

The Committee will, from time to time, do random on-site inspections to assure compliance with approved requests. Homeowners are asked to cooperate during such inspections. If deficiencies or deviations are noted, the Committee will notify the homeowner in writing, with a response expected within 30 days.

If you have questions or need assistance completing the request please contact the Lochmere Architecture Administrator at HRW. (See the contact information on the Request Form.)

B. REQUEST FORM FOR ARCHITECTURAL APPROVAL

The next page contains the Request Form for Architectural Approval

REQUEST FOR LOCHMERE ARCHITECTURAL APPROVAL

LOCHMERE ASSOCIATION □ ARCHITECTURE COMMITTEE

c/o HRW Inc. □

502 Lochmere Drive, Cary, NC 27518

ArchitectureAdmin@hrw.net

(919) 233-7640

IF YOU RESIDE IN A SUBASSOCIATION, YOU MUST FIRST RECEIVE APPROVAL FROM THE SUBASSOCIATION BEFORE THE LOCHMERE MASTER ASSOCIATION CAN REVIEW THIS REQUEST.

Submit all requests for changes or additions to the Lochmere Architecture Administrator at the address listed above. Please attach any drawings and/or sketches that will aid in making a decision regarding your request.

Please refer to the attached instructions and LASS section V.E for required information, to be submitted together with this request form.

PROPERTY OWNER'S NAME: □ _____

PROPERTY ADDRESS: _____ LOT #: _____

TELEPHONE NUMBERS: HM#: _____ WK#: _____

EMAIL: _____ SUB-ASSOCIATION: _____

ESTIMATED START DATE: _____ ESTIMATED COMPLETION DATE: _____

1. Narrative description of the proposed home and/or landscape improvement change or addition. Cite materials and color(s), to be used. State similarities to existing structures as appropriate. Use separate pages or attachments, if necessary.
 2. Please attach drawings to this request showing all proposed improvements including relationships to existing structures, landscaping and lot lines. Two drawings or more are needed to clearly show proposed improvements including but not limited to:
 - a. Plot Plan - "top down view" - the improvement should be drawn on a copy of your lot survey to show where the change will be placed.
 - b. Elevation(s) - "side, front, and rear view(s)" - one or more as necessary.
 3. Attach paint or vinyl siding samples, if applicable. (This includes black and white).
 4. A permit and inspection by the Town of Cary may be needed.
-

FOR THE ARCHITECTURE ADMINISTRATOR OFFICE ONLY

ID#:

LASS Version: v5.0

Date Received:

Received By:

5. When the committee reviews this request, your neighbors have the right to comment and present views about your requested improvements. This section is not for their approval, it is only to show they have been made aware that there will be changes next door. **Please obtain signatures from all property owners having adjoining lot lines with your property, and all property owners who would reasonably view the improvement from their property, i.e., across the street.** If the signatures are missing the request can be denied as incomplete. If this should happen, you would need to resubmit with the required information in order to get the request reviewed for approval.

I acknowledge that the requesting property owner has shown (me/us) the architectural request form for the proposed improvement(s) described on this form. I understand that (I/we) may direct verbal or written comments directly to the Architectural Administrator or Committee.

<u>Date</u>	<u>Printed Name</u>	<u>Signature</u>	<u>Address</u>

REASON FOR THE CHANGE/ADDITION/PROJECT:

ALL PROJECTS MUST BE COMPLETED WITHIN 12 MONTHS FROM DATE OF APPROVAL